

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4265

IN THE MATTER OF:

Served March 28, 1994

Application of M.R. HOPKINS)	Case No. AP-94-03
TRANSPORTATION SERVICES, INC.,)	
Trading as M.R. HOPKINS)	
TRANSPORTATION, for a Certificate)	
of Authority -- Irregular Route)	
Operations)	

By application filed February 9, 1994, M.R. Hopkins Transportation Services, Inc., trading as M.R. Hopkins Transportation (Hopkins or applicant), a Maryland corporation, seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District.¹

Notice of this application was served on February 14, 1994, in Order No. 4246, and applicant was directed to publish further notice in a newspaper and file an affidavit of publication, an amended vehicle description, an amended proposed tariff and amended financial statements. Applicant complied. The application is unopposed.

SUMMARY OF EVIDENCE

The application includes information regarding, among other things, applicant's corporate status, facilities, proposed tariff, finances, and regulatory compliance record.

Applicant proposes commencing operations with a 16-passenger van.² Applicant's proposed tariff contains rates for service pursuant to a federal agency contract.

Applicant filed a balance sheet as of November 30, 1993, showing cash of \$32,112; loans from shareholder of \$34,665; and negative equity of \$2,553.³ Applicant's profit and loss statement for

¹ Applicant originally requested that its authority be restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver. On February 28, 1994, applicant amended its application to seek authority unrestricted as to vehicle size.

² Applicant originally proposed to commence operations with a 9-passenger van. On February 24, 1994, applicant amended its application to propose commencing operations with a 16-passenger van, instead.

³ Applicant's negative equity position is created by a combination of negative retained earnings and the decision of its sole shareholder/creditor to classify substantially all capital contributions as debt.

the year ended November 30, 1993, shows revenue of \$529,400; expenses of \$502,854; and net income of \$26,546. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC revenue of \$63,000; other revenue of \$540,000; expenses of \$536,514; and net income of \$66,486.

Applicant certifies it has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and United States Department of Transportation regulations relating to transportation of passengers for hire. Applicant further certifies that neither applicant nor any person controlling, controlled by, or under common control with applicant has any control relationship with a carrier other than applicant.

DISCUSSION AND CONCLUSION

The Compact, Title II, Article XI, Section 7(a), provides in relevant part that:

- . . . the Commission shall issue a certificate to any qualified applicant . . . if it finds that --
- (i) the applicant is fit, willing, and able to perform [the] transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and
 - (ii) that the transportation is consistent with the public interest.

Based on the evidence in this record, the Commission finds applicant to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements. The Commission further finds that the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That M.R. Hopkins Transportation Services, Inc., trading as M.R. Hopkins Transportation, 2600 Presstman Street, Baltimore, MD 21216, is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers in irregular route operations between points in the Metropolitan District.

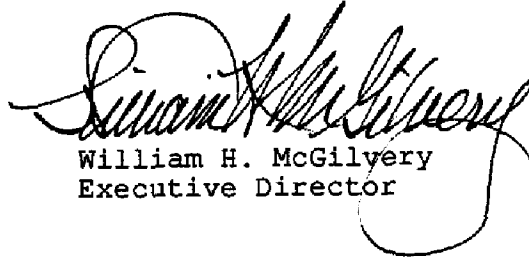
2. That applicant is hereby directed to file the following documents with the Commission: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia;

and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61, for which purpose WMATC No. 248 is hereby assigned.

3. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the documents required by the Commission, Certificate of Authority No. 248 shall be issued to applicant.

4. That unless applicant complies with the requirements of this order within 30 days from the date of its issuance, or such additional time as the Commission may direct or allow, the grant of authority herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:



William H. McGilvery
Executive Director